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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/048,933	03/26/1998	DEAN A. KLEIN	MEI-97-01386	4879

7590 08/24/2005

Joseph A Walkowski
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Salt Lake City, UT 84110

EXAMINER

TRAN, TRANG U

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Advisory Action Before the Filing of an Appeal Brief</p>	Application No. 09/048,933	Applicant(s) KLEIN, DEAN A.	
	Examiner Trang U. Tran	Art Unit 2614	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 05 August 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: 1-9 and 12-19.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see the attachment.
 12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). _____.
 13. ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed Aug. 5, 2005 have been fully considered but they are not persuasive.

In re pages 6-9, applicants argue, with respect to claims 1-3, 5-9 and 12, that any combination of the cited references cannot render obvious applicants' invention as presently claimed because neither Owen, Dea, nor Melo, individually or in any proper combination, teach or suggest "receiving a current video frame at a dedicated video input ... directly from a video source originating the video frame,...; computing ... a difference frame from the current video frame and a previous video frame as the current video frame streams into the dedicated video input ...; storing the difference frame directly ... via a dedicated memory interface".

In response, the examiner respectfully disagrees. As discussed in the last Office Action, Dea discloses in col. 9, lines 60-63 that "The encoding pathway receives a previous image and a current image into buffers 204, 206 respectively. The difference between the two may be applied by frame difference block 220 to selectable discrete cosine transform block 230". It is noted that previous image is current image delayed by one image. Thus, the claimed "receiving a current video frame at a dedicated video input of a core logic chip ... directly from a video source originating the video frame..." is anticipated by buffer 206 of Dea and the claimed "computing at the core logic chip a difference from the current video frame and a previous video frame as the current video frame streams into the dedicated video input of the core logic chip, the previous video

Art Unit: 2614

frame being received at the core logic chip as a previous current video frame and retained therein, ..." is anticipated by the frame difference block 220 of Dea because the previous image is the current image delayed by one image. It is noted that the claimed a dedicated video input is anticipated by the video input of Dea. Thus, the proposed combination of references discloses all the claimed limitations.

In re pages 9-12, applicants argue, with respect to claims 4 and 13-19, that the cited references cannot render obvious applicants' invention as presently claimed because neither Owen, Dea, Melo, nor Abramatic nor any combination thereof, teach or suggest "receiving a current video frame at a dedicated video input ... directly from a video source originating the video frame, ...; computing ... a difference frame from the current video frame and a previous video frame as the current video frame streams into the dedicated video input ...; storing the difference frame directly ... via a dedicated memory interface".

In response, the examiner respectfully disagrees. As discussed in the last Office Action, Dea discloses in col. 9, lines 60-63 that "The encoding pathway receives a previous image and a current image into buffers 204, 206 respectively. The difference between the two may be applied by frame difference block 220 to selectable discrete cosine transform block 230". It is noted that previous image is current image delayed by one image. Thus, the claimed "receiving a current video frame at a dedicated video input of a core logic chip ... directly from a video source originating the video frame..." is anticipated by buffer 206 of Dea and the claimed "computing at the core logic chip a different from the current video frame and a previous video frame as the current video

Art Unit: 2614


frame streams into the dedicated video input of the core logic chip, the previous video frame being received at the core logic chip as a previous current video frame and retained therein, ..." is anticipated by the frame difference block 220 of Dea because the previous image is the current image delayed by one image. It is noted that the claimed a dedicated video input is anticipated by the video input of Dea. Thus, the proposed combination of references discloses all the claimed limitations.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang U. Tran whose telephone number is (571) 272-7358. The examiner can normally be reached on 8:00 AM - 5:30 PM, Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TT TT
August 19, 2005


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600